

# MINIMUM STANDARDS FOR LOCAL DETENTION FACILITIES

## TITLE 24, PART 1, SECTION 13-102

## AND PART 2, SECTION 470A

## 2005 REGULATIONS

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**13-102 (a) DEFINITIONS.**

The following definitions shall apply:

1. "Administering medication," as it relates to managing legally obtained drugs, means the act by which a single dose of medication is given to a patient. The single dose of medication may be taken either from stock (undispensed) or dispensed supplies.
2. "Administrative segregation" means the physical separation of different types of inmates from each other as specified in Penal Code Sections 4001 and 4002, and Section 1053 of Title 15, CCR. Administrative segregation is accomplished to provide that level of control and security necessary for good management and the protection of staff and inmates.
3. "Alternate means of compliance" means a process for meeting or exceeding standards in an innovative way, after a pilot project evaluation, approved by the Corrections Standards Authority pursuant to an application.
4. "Average daily population" means the average number of inmates housed daily during the last fiscal year.
5. "Corrections Standards Authority" means the State Corrections Standards Authority, which board acts by and through its Executive Director, Deputy Directors, and Field Representatives.
6. "Contact" means communications, whether verbal or visual, or immediate physical presence.
7. "Court holding facility" means a local detention facility constructed within a court building after January 1, 1978, used for the confinement of persons solely for the purpose of court appearance for a period not to exceed 12 hours.
8. "Custodial personnel" means those officers with the rank of deputy, correctional officer, patrol persons, or other equivalent sworn or civilian rank whose primary duties are the supervision of inmates.
9. "Delivering medication," as it relates to managing legally obtained drugs, means the act of providing one or more doses of a prescribed and dispensed medication to a patient.
10. "Developmentally disabled" means those persons who have a disability which originates before an individual attains age 18, continues, or can be expected to continue indefinitely, and constitutes a substantial disability for that individual. This term includes mental retardation, cerebral palsy, epilepsy, and autism, as well as disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals.

11. "Direct visual observation" means direct personal view of the inmate in the context of his/her surroundings without the aid of audio/video equipment. Audio/video monitoring may supplement but not substitute for direct visual observation.
12. "Disciplinary isolation" means that punishment status assigned an inmate as the result of violating facility rules and which consists of confinement in a cell or housing unit separate from regular jail inmates.
13. "Dispensing," as it relates to managing legally obtained drugs, means the interpretation of the prescription order, the preparation, repackaging, and labeling of the drug based upon a prescription from a physician, dentist, or other prescriber authorized by law.
14. "Disposal," as it relates to managing legally obtained drugs, means the destruction of medication or its return to the manufacturer or supplier.
15. "Emergency" means any significant disruption of normal facility procedure, policies, or activities caused by a riot, fire, earthquake, attack, strike, or other emergent condition.
16. "Emergency medical situations" means those situations where immediate services are required for the alleviation of severe pain, or immediate diagnosis and treatment of unforeseeable medical conditions are required, if such conditions would lead to serious disability or death if not immediately diagnosed and treated.
17. "Exercise" means activity that requires physical exertion of the large muscle group.
18. "Facility/system administrator" means the sheriff, chief of police, chief probation officer, or other official charged by law with the administration of a local detention facility/system.
19. "Facility manager" means the jail commander, camp superintendent, or other comparable employee who has been delegated the responsibility for operating a local detention facility by a facility administrator.
20. "Health authority" means that individual or agency that is designated with responsibility for health care policy pursuant to a written agreement, contract or job description. The health authority may be a physician, an individual or a health agency. In those instances where medical and mental health services are provided by separate entities, decisions regarding mental health services shall be made in cooperation with the mental health director. When this authority is other than a physician, final clinical decisions rest with a single designated responsible physician.
21. "Health care" means medical, mental health and dental services.
22. "Inmate worker," as used in Articles 8 and 9, means an adult in a jail or lockup assigned to perform designated tasks outside of his/her cell or dormitory, for any length of time.
23. "Jail," as used in Article 8, means a Type II or III facility as defined in the "Minimum Standards for Local Detention Facilities."

24. "Labeling," as it relates to managing legally obtained drugs, means the act of preparing and affixing an appropriate label to a medication container.
25. "Law enforcement facility" means a building that contains a Type I Jail or Temporary Holding Facility. It does not include a Type II or III jail, which has the purpose of detaining adults, charged with criminal law violations while awaiting trial or sentenced adult criminal offenders.
26. "Legend drugs" are any drugs defined as "dangerous drugs" under Chapter 9, Division 2, Section 4211 of the California Business and Professions Code. These drugs bear the legend, "Caution Federal Law Prohibits Dispensing Without a Prescription." The Food and Drug Administration (FDA) has determined because of toxicity or other potentially harmful effects, that these drugs are not safe for use except under the supervision of a health care practitioner licensed by law to prescribe legend drugs.
27. "Licensed health personnel" includes but is not limited to the following classifications of personnel: physician/psychiatrist, dentist, pharmacist, physician's assistant, registered nurse/nurse practitioner/public health nurse, licensed vocational nurse, and psychiatric technician.
28. "Living areas" means those areas of a facility utilized for the day-to-day housing and activities of inmates. These areas do not include special use cells such as sobering, safety, and holding or staging cells normally located in receiving areas.
29. "Local detention facility" means any city, county, city and county, or regional jail, camp, court holding facility, or other correctional facility, whether publicly or privately operated, used for confinement of adults or of both adults and minors, but does not include that portion of a facility for confinement of both adults and minors which is devoted only to the confinement of minors.
30. "Local detention system" means all of the local detention facilities that are under the jurisdiction of a city, county or combination thereof whether publicly or privately operated. Nothing in the standards are to be construed as creating enabling language to broaden or restrict privatization of local detention facilities beyond that which is contained in other statute.
31. "Local Health Officer" means that licensed physician who is appointed pursuant to Health and Safety Code Section 101000 to carry out duly authorized orders and statues related to public health within their jurisdiction.
32. "Lockup" means a locked room or secure enclosure under the control of a peace officer or custodial officer that is primarily used for the temporary confinement of adults who have recently been arrested; sentenced prisoners who are inmate workers may reside in the facility to carry out appropriate work.

33. “Managerial custodial personnel” means the jail commander, camp superintendent, or other comparable employee who has been delegated the responsibility for operating a local detention facility by a facility administrator.
34. “Mental Health Director,” means that individual who is designated by contract, written agreement or job description, to have administrative responsibility for the facility or system mental health program.
35. “Non-secure custody” means that a minor’s freedom of movement in a law enforcement facility is controlled by the staff of the facility; and
  - (1) the minor is under constant direct visual observation by the staff;
  - (2) the minor is not locked in a room or enclosure; and,
  - (3) the minor is not physically secured to a cuffing rail or other stationary object.
36. “Non-sentenced inmate,” means an inmate with any pending local charges or one who is being held solely for charges pending in another jurisdiction.
37. “Over-the-counter (OTC) Drugs,” as it relates to managing legally obtained drugs, are medications which do not require a prescription (non-legend).
38. “People with disabilities” includes, but is not limited to, persons with a physical or mental impairment that substantially limits one or more of their major life activities or those persons with a record of such impairment or perceived impairment that does not include substance use disorders resulting from current illegal use of a controlled substance.
39. “Pilot Project” means an initial short-term method to test or apply an innovation or concept related to the operation, management or design of a local detention facility pursuant to application to, and approval by, the Corrections Standards Authority.
40. “Procurement,” as it relates to managing legally obtained drugs, means the system for ordering and obtaining medications for facility stock.
41. “Psychotropic medication” means any medication prescribed for the treatment of symptoms of psychoses and other mental and emotional disorders.
42. “Rated capacity” means the number of inmate occupants for which a facility’s single and double occupancy cells or dormitories, except those dedicated for health care or disciplinary isolation housing, were planned and designed in conformity to the standards and requirements contained in Title 15 and Title 24.
43. “Regional Center for Developmentally Disabled” means those private agencies throughout the state, funded through the Department of Developmental Services which assure provision of services to persons with developmental disabilities. Such centers will be referred to as regional centers in these regulations.

- 44. “Remodel” means to alter the facility structure by adding, deleting or moving any of the buildings’ components thereby affecting any of the spaces specified in Title 24, Section 470A.
- 45. “Repackaging,” as it relates to managing legally obtained drugs, means the transferring of medications from the original manufacturers’ container to another properly labeled container.
- 46. “Repair” means to restore to original condition or replace with like-in-kind.
- 47. “Safety checks” means regular, intermittent and prescribed direct, visual observation to provide for the health and welfare of inmates.
- 48. “Secure detention” means that a minor being held in temporary custody in a law enforcement facility is locked in a room or enclosure and/or physically secured to a cuffing rail or other stationary object.
- 49. “Security glazing” means a glass/polycarbonate composite glazing material designed for use in detention facility doors and windows and intended to withstand measurable, complex loads from deliberate and sustained attacks in a detention environment.
- 50. “Sentenced inmate,” means an inmate that is sentenced on all local charges.
- 51. “Shall” is mandatory; “may” is permissive.
- 52. “Sobering cell” as referenced in Section 1056, refers to an initial “sobering up” place for arrestees who are sufficiently intoxicated from any substance to require a protected environment to prevent injury by falling or victimization by other inmates.
- 53. “Storage,” as it relates to legally obtained drugs, means the controlled physical environment used for the safekeeping and accounting of medications.
- 54. “Supervision in a law enforcement facility” means that a minor is being directly observed by the responsible individual in the facility to the extent that immediate intervention or other required action is possible.
- 55. “Supervisory custodial personnel” means those staff members whose duties include direct supervision of custodial personnel.
- 56. “Temporary custody” means that the minor is not at liberty to leave the law enforcement facility.
- 57. “Temporary Holding facility” means a local detention facility constructed after January 1, 1978, used for the confinement of persons for 24 hours or less pending release, transfer to another facility, or appearance in court.

58. "Type I facility" means a local detention facility used for the detention of persons for not more than 96 hours excluding holidays after booking. Such a Type I facility may also detain persons on court order either for their own safekeeping or sentenced to a city jail as an inmate worker, and may house inmate workers sentenced to the county jail provided such placement in the facility is made on a voluntary basis on the part of the inmate. As used in this section, an inmate worker is defined as a person assigned to perform designated tasks outside of his/her cell or dormitory, pursuant to the written policy of the facility, for a minimum of four hours each day on a five day scheduled work week.
59. "Type II facility" means a local detention facility used for the detention of persons pending arraignment, during trial, and upon a sentence of commitment.
60. "Type III facility" means a local detention facility used only for the detention of convicted and sentenced persons.
61. "Type IV facility" means a local detention facility or portion thereof designated for the housing of inmates eligible under Penal Code Section 1208 for work/education furlough and/or other programs involving inmate access into the community.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

### **13-102 (b) EXCLUSIONS.**

Title 24 of the California Code of Regulations, Sections 13-102 and 470A which pertain to planning and design of detention facilities shall be applicable to facilities for which architectural drawings have been submitted to the State Corrections Standards Authority for review. These requirements shall not be applicable to facilities which were constructed in conformance with the standards of the Corrections Standards Authority in effect at the time of initial architectural planning. When any facility, designed and constructed under earlier Corrections Standards Authority standards, can comply with a more recently adopted requirement, the least restrictive regulation shall apply.

If, in the course of inspection of local detention facilities, the Corrections Standards Authority determines that a facility planned or built prior to these regulations does not meet the appropriate, applicable standards in effect at the time of initial architectural planning, the local governing body shall submit to the Corrections Standards Authority for their approval within one year of such inspection a plan for causing that facility to meet current standards. Such a plan shall include the specific building areas which need to be remodeled and/or constructed, a definite time period over which the proposed modifications are planned, and a cost estimate including a description of the method of financing.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

### **13-102 (c) 1. Letter of Intent.**

A city, county, city and county, or any combination thereof which has an intent to build or remodel any local detention facility shall immediately file a letter of intent with the Corrections Standards Authority.



NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

### **13-102 (c) 2. Needs Assessment Study.**

Any city, county, city and county, or region intending to construct a new Type I, II, III, or IV facility or add 25 or more beds to an existing facility shall complete a needs assessment study. One copy of the needs assessment study shall be submitted to the Corrections Standards Authority prior to contracting for plans and specifications.

The needs assessment shall include but not be limited to a description of:

- A. the elements of the system;
- B. the department's operational and design philosophy;
- C. the current inmate population;
- D. the classification system;
- E. program needs, including planned academic programs including special education programs and an analysis of performance in using programs which can reduce secure facility requirements;
- F. an analysis of the local trends and characteristics which influence planning assumptions about future corrections' systems change, including population projections, current and projected inmate populations, and program costs based on continuation of current policies and projections of alternative policies or programs on inmate population growth and program costs;
- G. the adequacy of staffing levels;
- H. the ability to provide visual supervision;
- I. the adequacy of record keeping;
- J. a history of the systems compliance with standards; and,
- K. any unresolved issues.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

### **13-102 (c) 3. Operational Program Statement.**

Unless the construction or remodeling is of a minor nature, not affecting the capacity or flow of the facility, an operational program statement shall be developed by the facility administrator and submitted to the Corrections Standards Authority for the purpose of providing the basis upon which architectural plans are drawn. The operational program statement must be submitted with the schematic architectural plans required by Section 13-102(c) 5 of these regulations and must include a description of the following:

- A. Intended capacity of facility.
- B. Security and classification of inmates to be housed.
- C. Inmate movement within the facility and entry and exit from security areas.
- D. Food preparation and serving.
- E. Staffing.
- F. Booking.
- G. Visiting and attorney interviews.

- H. Exercise.
- I. Programs.
- J. Medical services, including the management of communicable diseases.
- K. Cleaning and/or laundering.
- L. Inmate segregation as specified in Penal Code Sections 4001 and 4002 and Article 5 of Title 15, CCR.
- M. Court holding and inmate movement.
- N. Mental health services.
- O. Facilities for jail administration and operations staff.
- P. Staff to staff communications system.
- Q. Management of disruptive inmates.
- R. Management and placement of persons with disabilities with provisions for wheelchairs, gurney access, and for evacuation during emergencies.
- S. Architectural treatment of space relative to preventing suicides by inmates.
- T. Method of implementing Penal Code Section 4030 relating to the holding of misdemeanor arrestees.
- U. Intended type of facility.
- V. Sobering cells(s) as referenced by Title 15, Section 1056, with the ability to segregate.
- W. Safety cell(s) as referenced by Title 15, Section 1055.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **13-102 (c) 4. Type III and Type IV Facilities in Existing Buildings.**

Wherever a city, county, or combination thereof, intends to establish a Type III or Type IV facility in an existing building or buildings, notice shall be given to the Corrections Standards Authority whose staff shall complete a survey to determine capacity of such buildings and shall make recommendations for necessary modifications. The proposing local government shall secure the appropriate clearance from the health authority, building official, and State Fire Marshal.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **13-102 (c) 5. Submittal of Plans and Specifications.**

All plans and specifications submitted to the Corrections Standards Authority in compliance with Penal Code Section 6029 shall be in duplicate at the schematic design phase, at the design development phase and when the construction document drawings and specifications are developed. A copy of the plans will be forwarded by the Board to the State Fire Marshal for review. Corrections Standards Authority staff shall respond in writing indicating compliance or non-compliance with these regulations.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

**13-102 (c) 6. Design Requirements.**

- A. The design of a local detention facility shall comply with provisions of California Code of Regulations, Title 24, Part 2, Section 470A.
- B. The design of a Type I, Type II, Type III, or Type IV facility, shall provide the following:
  - (1) Fire safety. The provisions of Title 19 as they relate to detention facilities shall be incorporated into the facility design.
  - (2) Suicide Hazards. Architectural plans shall be reviewed by the Board for the purpose of reducing hazards posed by fixtures and equipment which could be used for an act of suicide by an inmate. The facility design shall avoid any surfaces, edges, fixtures, or fittings that can provide an attachment for self-inflicted injury. The following features shall be incorporated in the design of temporary holding cells, temporary staging cells, sobering cells, safety cells, single occupancy cells, and any other area where an inmate may be left alone:
    - (a) plumbing shall not be exposed. Operation of control valves shall use flush buttons or similar. The drinking fountain bubbler, shall be without curved projections;
    - (b) towel holders shall be ball-in-socket or indented clasp, not pull-down hooks or bars;
    - (c) supply and return grilles shall have openings no greater than 3/16 inch or have 16-mesh per square inch;
    - (d) beds, desk surfaces, and shelves shall have no sharp edges and be configured to prevent attachment;
    - (e) light fixtures shall be tamper resistant;
    - (f) fixtures such as mirrors shall be mounted using tamper resistant fasteners; and,
    - (g) fire sprinkler heads inside rooms shall be designed to prevent attachment.
  - (3) Health and sanitation. Provisions of Subchapter 4, Title 15, California Code of Regulations, and of the California Uniform Retail Food Facilities Law as they relate to detention facilities shall be incorporated into the facility design.
  - (4) Single and/or double occupancy cells. In any local detention system the number of single and/or double occupancy cells shall be that number, determined by the facility/system administrator in conjunction with the Corrections Standards Authority, necessary to safely manage the population of the facility/system based on a comprehensive needs assessment which accounts for those inmates projected to be:
    - (a) administrative segregation cases,
    - (b) persons with disabilities,
    - (c) custodial problems, and/or
    - (d) likely to need individual housing for other specific reasons as determined by the facility/system administration.

The total number of single and/or double occupancy cells shall not be less than 10 percent of the system's Corrections Standards Authority rated capacity. The local detention facility/system shall comply with all other design requirements contained in these regulations.

- (5) Staff and inmate safety. Facilities shall be designed and/or equipped in such a manner that staff and inmates have the ability to summon immediate assistance in the event of an incident or an emergency.
  - (6) Heating and cooling. Provision shall be made to maintain a comfortable living environment in accordance with the heating, ventilating, and air conditioning requirements of Parts 2 and 4, and the energy conservation requirements of Part 6, Title 24, California Code of Regulations.
  - (7) Acoustics. Housing areas shall be designed and constructed so that the average noise level does not exceed 70 decibels during periods of activity and 45 decibels during sleeping hours.
  - (8) Living Areas. Living areas shall be separated from the area for reception and booking.
  - (9) Spaces for persons with disabilities.
    - (a) Housing cell or room. A cell or room for an inmate with a disability using a wheelchair must have an appropriate entry and toilet, wash basin and drinking fountain which the inmate can utilize without personal assistance.
    - (b) Other spaces within the security perimeter such as day rooms and activity areas shall be located such that persons with disabilities will not be excluded from participating in any program for which he or she would otherwise be eligible. Accessible showers for inmates with disabilities shall be available.
    - (c) Spaces outside the security perimeter. Public areas of a local detention facility shall comply with the applicable chapters of Title 24, Part 2 of the California Code of Regulations.
  - (10) Security. The design should facilitate security and supervision appropriate to the level of inmate custody.
  - (11) Glazing. Internal and external facility glazing shall be appropriate to the security level of the detention area or room.
  - (12) Hair care space. Space and suitable equipment must be provided in all Type II or Type III facilities for men's haircutting and/or female hairdressing.
  - (13) Floor drains shall be provided where operationally and mechanically appropriate.
  - (14) Medical/mental health care housing shall be designed in consultation with the health authority. Medical/mental health areas may contain other than single occupancy rooms.
- C. The design of a court holding or temporary holding facility must include and comply with the following subsections of Section 13-102(c)6B: (1), (2), (3), (5), (6), (7), (9), (10), and (13). Court holding facilities shall have separate paths of travel for inmates from those used by the public.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

### **13-102 (c) 7. Pilot Projects.**

The pilot project is the short-term method used by a local detention facility/system, approved by the Corrections Standards Authority, to evaluate innovative programs, operations or concepts which meet or exceed the intent of these regulations.

The Corrections Standards Authority may, upon application of a city, county or city and county, grant pilot project status to a program, operational innovation or new concept related to the

operation and management of a local detention facility. An application for a pilot project shall include, at a minimum, the following information:

- (a) The regulations which the pilot project will affect.
- (b) Review of case law, including any lawsuits brought against the applicant local detention facility, pertinent to the proposal.
- (c) The applicant's history of compliance or non-compliance with standards.
- (d) A summary of the "totality of conditions" in the facility or facilities, including but limited to:
  - (1) program activities, exercise, and recreation;
  - (2) adequacy of supervision;
  - (3) types of inmates affected; and,
  - (4) inmate classification procedures.
- (e) A statement of the goals the pilot project is intended to achieve, the reasons a pilot project is necessary and why the particular approach was selected.
- (f) The projected costs of the pilot project and projected cost savings to the city, county, city and county, if any.
- (g) A plan for developing and implementing the pilot project including a time line where appropriate.
- (h) A statement of how the overall goal of providing safety to staff and inmates will be achieved.

The Corrections Standards Authority shall consider applications for pilot projects based on the relevance and appropriateness of the proposed project, the completeness of the information provided in the application, and staff recommendations.

Within 10 working days of receipt of the application, Board staff will notify the applicant, in writing, that the application is complete and accepted for filing, or that the application is being returned as deficient and identifying what specific additional information is needed. This does not preclude the Corrections Standards Authority members from requesting additional information necessary to make a determination that the pilot project proposed actually meets or exceeds the intent of the regulations at the time of the hearing. When complete, the application will be placed on the agenda for the Board's consideration at a regularly scheduled meeting. The written notification from the Board to the applicant shall also include the date, time and location of the meeting at which the application will be considered. (The Board meeting schedule for the current calendar year is available through its office in Sacramento.)

When an application for a pilot project is approved by the Corrections Standards Authority, the Board shall notify the applicant, in writing within 10 working days of the meeting, of any conditions included in the approval and the time period for the pilot project. Regular progress reports and evaluative data on the success of the pilot project in meeting its goals shall be provided to the Board. If disapproved, the applicant shall be notified in writing, within 10 working days of the meeting, the reasons for said disapproval. This application approval process may take up to 90 days from the date of receipt of a complete application.

Pilot project status granted by the Corrections Standards Authority shall not exceed twelve months after its approval date. When deemed to be in the best interest of the application, the Corrections Standards Authority may extend the expiration date for up to an additional twelve months. Once a city, county, or city and county successfully completes the pilot project

evaluation period and desires to continue with the program, it may apply for an alternate means of compliance as described in Section 13-102(c)8 of these regulations.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

### **13-102 (c) 8. Alternate Means of Compliance.**

The alternate means of compliance is the long-term method used by a local detention facility/system, approved by the Corrections Standards Authority, to encourage responsible innovation and creativity in the operation of California's local detention facilities. The Corrections Standards Authority may, upon application of a city, county, or city and county, consider alternate means of compliance with these regulations after the pilot project process has been successfully evaluated (as defined in Section 13-102(c)7). The city, county, or city and county must present the completed application to the Corrections Standards Authority no later than 30 days prior to the expiration of its pilot project.

Applications for alternate means of compliance must meet the spirit and intent of improving jail management, shall be equal to or exceed the existing standard(s) and shall include reporting and evaluation components. An application for alternate means of compliance shall include, at a minimum, the following information:

- (a) review of case law, including any lawsuits brought against the applicant local detention facility, pertinent to the proposal.
- (b) The applicant's history of compliance or non-compliance with standards.
- (c) A summary of the "totality of conditions" in the facility or facilities, including but not limited to:
  - (1) program activities, exercise and recreation;
  - (2) adequacy of supervision;
  - (3) types of inmates affected; and,
  - (4) inmate classification procedures.
- (d) A statement of the problem the alternate means of compliance is intended to solve, how the alternative will contribute to a solution of the problem and why it is considered an effective solution.
- (e) The projected costs of the alternative and projected cost savings to the city, county, city and county if any.
- (f) A plan for developing and implementing the alternative including a time line where appropriate.
- (g) A statement of how the overall goal of providing safety to staff and inmates was achieved during the pilot project evaluation phase (Section 13-102(c)7).

The Corrections Standards Authority shall consider applications for alternative means of compliance based on the relevance and appropriateness of the proposed alternative, the completeness of the information provided in the application, the experiences of the jurisdiction during the pilot project, and staff recommendations.

Within 10 working days of receipt of the application, Board staff will notify the applicant, in writing, that the application is complete and accepted for filing, or that the application is being returned as deficient and identifying what specific additional information is needed. This does not preclude the Corrections Standards Authority members from requesting additional information necessary to make a determination that the alternate means of compliance proposed

meets or exceeds the intent of these regulations at the time of the hearing. When complete, the application will be placed on the agenda for the Board's consideration at a regularly scheduled meeting. The written notification from the Board to the applicant shall also include the date, time and location of the meeting at which the application will be considered. (The Board meeting schedule for the current calendar year is available through its office in Sacramento.)

When an application for an alternate means of compliance is approved by the Corrections Standards Authority, the Board shall notify the applicant, in writing within 10 working days of the meeting, of any conditions included in the approval and the time period for which the alternate means of compliance shall be permitted. The Corrections Standards Authority may require regular progress reports and evaluative data as to the success of the alternate means of compliance. If disapproved, the applicant shall be notified in writing, with 10 working days of the meeting, the reasons for said disapproval. This application approval process may take up to 90 days from the date of receipt of a complete application.

The Corrections Standards Authority may revise the minimum jail standards during the next biennial review (reference Penal Code Section 6030) based on data and information obtained during the alternate means of compliance process. If, however, the alternate means of compliance does not have universal application, a city, county, city and county may continue to operate under this status as long as they meet the terms of this regulation.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.1 DEFINITIONS.**

**Corrections Standards Authority** means the State Corrections Standards Authority, which board acts by and through its executive officer, deputy director and field representatives.

**Living Areas** means those areas of a facility utilized for the day-to-day housing and activities of inmates. These areas do not include special-use cells such as sobering, safety and holding or staging cells normally located in receiving areas.

**Local Detention Facilities** means any city, county, city and county, or regional jail, camp, court holding facility or other correctional facility, whether publicly or privately operated, used for the confinement of adults or of both adults and minors, but does not include that portion of a facility for the confinement of both adults and minors which is devoted only to the confinement of minors. The types of local detention facilities are as follows:

**Court Holding Facility** means a local detention facility constructed within a court building after January 1, 1978, used for the confinement of persons solely for the purpose of a court appearance for a period not to exceed 12 hours.

**Temporary Holding Facility** means a local detention facility constructed after January 1, 1978, used for the confinement of persons for 24 hours or less pending release, transfer to another facility or appearance in court.

**Type I Facility** means a local detention facility used for the detention of persons for not more than 96 hours, excluding holidays, after booking. Such a Type I facility may also detain persons

on court order either for their own safekeeping or sentenced to a city jail as an inmate worker, and may house inmate workers sentenced to the county jail provided such placement in the facility is made on a voluntary basis on the part of the inmate. As used in this section, an inmate worker is defined as a person assigned to perform designated tasks outside of his or her cell or dormitory, pursuant to the written policy of the facility, for a minimum of four hours each day on a five day scheduled work week.

**Type II Facility** means a local detention facility used for the detention of persons pending arraignment, after arraignment, during trial and upon a sentence of commitment.

**Type III Facility** means a local detention facility used only for the detention of convicted and sentenced persons.

**Type IV Facility** means a local detention facility or portion thereof designated for the housing of inmates eligible, under Penal Code Section 1208, for work/education furlough and/or other programs involving inmate access into the community.

**Rated Capacity** means the number of inmate occupants for which a facility's single and double occupancy cells or dormitories, except those dedicated for health care or disciplinary isolation housing, were planned and designed in conformity to the standards and requirements contained herein and in Title 15, CCR.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.1 Reception and Booking.**

Facilities where booking and housing occur shall have the following space and equipment:

- 470A.2.1.1 Weapons locker as specified in Section 470A.3.12.
- 470A.2.1.2 A cell or room for the confinement of inmates pending their booking, complying with Section 470A.2.2.
- 470A.2.1.3 A sobering cell as described in Section 470A.2.4, if intoxicated inmates who may pose a danger to themselves or others are held. For those facilities that accept male and female intoxicated inmates, two sobering cells shall be provided.
- 470A.2.1.4 Access to a shower within the secure portion of the facility.
- 470A.2.1.5 Provide access to a secure vault or storage space for inmate valuables.
- 470A.2.1.6 A safety cell or cells as described in Section 470A.2.5 if the program statement identifies the need for such a cell.
- 470A.2.1.7 Telephones which are accessible to the inmates.
- 470A.2.1.8 Unobstructed access to hot and cold running water for staff use.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.2 Temporary Holding Cell or Room.**

A temporary holding cell or room shall:

- 470A.2.2.1 Contain a minimum of 10 square feet of floor area per inmate;
- 470A.2.2.2 Be limited to no more than 16 inmates;



- 470A.2.2.3 Be no smaller than 40 square feet and have a clear ceiling height of 8 or more feet;
- 470A.2.2.4 Contain seating to accommodate all inmates as required in Section 470A.3;
- 470A.2.2.5 Contain a toilet, wash basin and drinking fountain as specified in Section 470A.3;
- 470A.2.2.6 Maximize visual supervision of inmates by staff; and,
- 470A.2.2.7 When located in a temporary holding facility, the cell or room shall be equipped with a bunk if inmates are to be held longer than 12 hours.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.3 Temporary Staging Cell or Room.**

A temporary staging cell or room shall:

- 470A.2.3.1 Be constructed for the purpose of holding inmates who have been classified and segregated in accordance with Sections 1050 and 1053 of Title 15, Division 1, California Code of Regulations.
- 470A.2.3.2 Be limited to holding inmates up to four hours.
- 470A.2.3.3 Be limited to no more than 80 inmates.
- 470A.2.3.4 Contain a minimum of 10 square feet of floor area per inmate and a clear ceiling height of 8 or more feet.
- 470A.2.3.5 Be no smaller than 160 square feet.
- 470A.2.3.6 Contain seating to accommodate all inmates as required in Section 470A.3.
- 470A.2.3.7 Contain toilets, wash basins and drinking fountains as specified in Section 470A.3.
- 470A.2.3.8 Maximize visual supervision of inmates by staff.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.4 Sobering Cell.**

A sobering cell shall:

- 470A.2.4.1 Contain a minimum of 20 square feet of floor area per inmate;
- 470A.2.4.2 Be limited to 8 inmates;
- 470A.2.4.3 Be no smaller than 60 square feet and have a clear ceiling height of 8 or more feet;
- 470A.2.4.4 Contain a toilet, wash basin and drinking fountain as specified in Section 470A.3;
- 470A.2.4.5 Have padded partitions located next to toilet fixture in such a manner that they provide support to the user;
- 470A.2.4.6 Maximize visual supervision of inmates by staff; and,
- 470A.2.4.7 Be padded on the floor as specified in Section 470A.3.
- 470A.2.4.8 Have accessible a shower in the secure portion of the facility

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.5 Safety Cell.**

A safety cell shall:

- 470A.2.5.1 Contain a minimum of 48 square feet of floor area with no one floor dimension being less than 6 feet and a clear ceiling height of 8 or more feet;

- 470A.2.5.2 Be limited to one inmate;
- 470A.2.5.3 Contain a flushing ring toilet, capable of accepting solid waste, mounted flush with the floor, the controls for which must be located outside of the cell;
- 470A.2.5.4 Be padded as specified in Section 470A.3;
- 470A.2.5.5 Be equipped with a variable intensity, security-type lighting fixture which is inaccessible to the inmate occupant, control of which is located outside of the cell;
- 470A.2.5.6 Provide one or more vertical view panels not more than 4 inches wide nor less than 24 inches long which shall provide a view of the entire room; and,
- 470A.2.5.7 Provide a food pass with lockable shutter, no more than 4 inches high, and located between 26 inches and 32 inches as measured from the bottom of the food pass to the floor.
- 470A.2.5.8 Any wall or ceiling mounted devices must be inaccessible to the inmate occupant.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.6 Single-Occupancy Cells.**

Single-occupancy cells shall:

- 470A.2.6.1 Have a maximum capacity of one inmate;
  - 470A.2.6.2 Contain a minimum of 60 square feet of floor area in Type I facilities and 70 square feet of floor area in Type II and Type III facilities;
  - 470A.2.6.3 Have a minimum clear ceiling height of 8 feet and a minimum width of 6 feet;
  - 470A.2.6.4 Contain a toilet, wash basin and drinking fountain as specified in Section 470A.3; and,
  - 470A.2.6.5 Contain a bunk, desk and seat as specified in Section 470A.3.
- EXCEPTION: A Type I facility does not require a desk and seat.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.7 Double-Occupancy Cells.**

Double-occupancy cells shall:

- 470A.2.7.1 Have a maximum capacity of two inmates;
  - 470A.2.7.2 Contain a minimum of 60 square feet of floor area in Type I facilities and 70 square feet of floor area in Type II and Type III facilities;
  - 470A.2.7.3 Have a minimum clear ceiling height of 8 feet and a minimum width of 6 feet;
  - 470A.2.7.4 Contain a toilet, wash basin and drinking fountain as specified in Section 470A.3; and,
  - 470A.2.7.5 Contain two bunks, and at least one desk and seat as specified in Section 470A.3.
- EXCEPTION: A Type I facility does not require a desk and seat.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.8 Dormitories.**

Dormitories shall:

- 470A.2.8.1 Contain a minimum of 50 square feet of floor area per single-bed unit; a minimum of 70 square feet per double-bed unit; and a minimum of 90 square feet per triple bed unit and have a minimum ceiling height of 8 feet;
- 470A.2.8.2 Be designed for no more than 64 inmates and no fewer than 4 inmates;
- 470A.2.8.3 Provide access to toilets separate from the wash basin and drinking fountains as specified in Section 470A.3; and,
- 470A.2.8.4 In other than Type I facilities, provide secure storage of personal items and clothing for each occupant.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.9 Dayrooms.**

Dayrooms or dayroom space shall:

- 470A.2.9.1 Contain 35 square feet of floor area per inmate;
- 470A.2.9.2 Contain tables and seating to accommodate the maximum number of inmates allowed access at a given time.
- 470A.2.9.3 Provide access to toilets, wash basins and drinking fountains as specified in Section 470A.3;
- 470A.2.9.4 Provide access to a shower or showers as specified in Section 470A.3; and,
- 470A.2.9.5 Be provided to all inmates in Type II and Type III facilities (except those housed in special use cells) and to inmate workers in Type I facilities.

Dayroom space as described in this section may be a part of a single occupancy cell used for administrative segregation or a dormitory, in which case the floor area of the cell or a dormitory must be increased by the square footage required for the dayroom.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.10 Exercise Area.**

An outdoor exercise area or areas must be provided in every Type II and Type III facility. The minimum clear height must be 15 feet and the minimum number of square feet of surface area will be computed by multiplying 80 percent of maximum rated population by 50 square feet and dividing the result by the number of one-hour exercise periods per day.

There must be at least one exercise area of not less than 600 square feet. The design shall facilitate security and supervision appropriate to the level of custody.

The exercise area must contain or provide free access to a toilet, wash basin and drinking fountain as provided in Section 470A.3.

Type IV facilities shall have an outdoor recreation area or access to community recreation facilities.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

**470A.2.11 Correctional Program/Multipurpose Space.**

An area for correctional programming must be provided in every Type II and Type III facility. The program area and furnishings shall be designed to meet the needs specified by the facility's program statement.

Type IV facilities shall have multipurpose space for games and activities, dining, visiting, TV, meetings, and quiet space for study and reading, such that activities do not conflict with each other.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

**470A.2.12 Medical Examination Room.**

There must be a minimum of one suitably equipped medical examination room in every facility which provides on-site health care. The examination room shall be designed in consultation with the responsible physician/health authority. Such a medical examination room shall:

- 470A.2.12.1 Be located within the security area and provide for privacy of the inmates;
- 470A.2.12.2 Provide not less than 100 square feet of floor space with no single dimension less than 7 feet; and,
- 470A.2.12.3 Provide hot and cold running water.
- 470A.2.12.4 Provide lockable storage for medical supplies.
- 470A.2.12.5 Any room where medical procedures are provided must be equipped with hot and cold running water.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

**470A.2.13 Pharmaceutical Storage Space.**

Provide lockable storage space for medical supplies and pharmaceutical preparations as referenced by Title 15 California Code of Regulations 1216.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

**470A.2.14 Medical Care Housing.**

There shall be some means to provide medical care and housing of ill and/or infirm inmates. When the program statement for a Type II or Type III facility indicates that medical care housing is needed, such housing must provide lockable storage space for medical instruments and must be located within the security area of the facility accessible to both female and male inmates, but not in the living area of either. The medical care housing unit shall be designed in consultation with the health authority. Medical/mental health areas may contain other than single occupancy cells.

If negative pressure isolation rooms are being planned, they shall be designed to recognized industry standards.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.16 Commissary.**

In all Type II, III, and IV facilities, except where community access is available, there shall be provision made for inmates to purchase items. When commissary supplies are kept within the security perimeter of a facility, an area shall be provided for the secure storage of the stock for such inmate canteen items.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.17 Dining Facilities.**

In all Type II, III and IV facilities which serve meals, dining areas shall be provided which will allow groups of inmates to dine together. Such dining areas shall not contain toilets or showers in the same room without appropriate visual barrier. Wherever the facility contains a central dining room or rooms, it shall contain a minimum of 15 square feet of floor space and sufficient tables and seating for each inmate being fed.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.18 Visiting Space.**

Space shall be provided in all Type I, II, III and IV facilities for visiting.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.19 Safety Equipment Storage.**

A secure area shall be provided for the storage of safety equipment such as fire extinguishers, self-contained breathing apparatus, wire and bar cutters, emergency lights, etc.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.20 Janitors' Closet.**

In Type II facilities, at least one securely lockable janitors' closet, with sufficient area for the storage of cleaning implements and supplies, must be provided within the security areas of the facility. A mop sink shall also be available within the security area of the facility. In court holding, temporary holding, Type I, III and IV facilities, the closet need not be in the security area.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

**470A.2.21 Storage Rooms.**

One or more storage rooms shall be provided to accommodate a minimum of 80 cubic feet of storage area per inmate for inmate clothing and personal property, institutional clothing, bedding, and supplies. Court holding, temporary holding and Type I facilities may be excluded from the storage space requirement for personal and institutional clothing unless clothing is issued.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

**470A.2.22 Audio Monitoring System.**

In court holding, temporary holding, Type I, Type II, and Type III facilities there shall be an inmate- or sound-actuated audio monitoring system which is capable of alerting personnel stationed in a central control point.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

**470A.2.23 Laundry Facilities.**

In Type IV facilities, provision shall be made for washing and drying of personal clothing by machines, either in the facility or in the community, if access is permitted for same.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

**470A.2.24 Emergency Power.**

There shall be a source of emergency power in all detention facilities capable of providing minimal lighting in all housing units, activities areas, corridors, stairs, and central control points, and to maintain fire and life safety, security, communications, and alarm systems. Such an emergency power source shall conform to the requirements specified in Title 24, Part 3, Article 700, California Electrical Code, California Code of Regulations.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

**470A.2.25 Confidential Interview Rooms.**

There must be a minimum of one suitably furnished interview room for confidential interviews in every facility which provides on-site health care. The interview room shall be designed in consultation with responsible custody staff and health care staff. Such an interview room shall:

- 470A.2.25.1 Be located within the security area accessible to both female and male inmates, and,
- 470A.2.25.2 Provide not less than 70 square feet of floor space with no single dimension less than 6 feet.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.2.26 Attorney Interview Space.**

All facilities except Type IV facilities shall include attorney interview areas which provide for confidential consultation with inmates.

**EXCEPTION: The design of court holding and temporary holding facilities shall include the following required spaces from Section 470A.2; .2, .19, .20, .21, .22, .24, and .26.**

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.3.1 Toilets /Urinals**

Must be provided in single occupancy cells and double occupancy cells.

In dormitories, toilets/urinals must be provided in a ratio to inmates of 1:10.

Toilets/urinals must be accessible to the occupants of dayrooms and exercise areas.

In temporary holding cells and temporary staging cells toilets/urinals must be provided in a ratio to inmates of 1:16.

In sobering cells toilets/urinals must be provided in a ratio to inmates of 1:8.

One urinal or two feet of urinal trough may be substituted for each toilet up to one third of the total number of toilets required, except in those facilities or portions thereof used for females.

NOTE: Toilet areas shall provide modesty for inmates with staff being able to visually supervise.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.3.2 Wash Basins**

Must be provided in single occupancy cells and double occupancy cells.

In dormitories, wash basins must be provided in a ratio to inmates of 1:10.

Wash basins must be accessible to the occupants of dayrooms and exercise areas.

In temporary holding cells and temporary staging cells wash basins must be provided in a ratio to inmates of 1:16.

In sobering cells wash basins must be provided in a ratio to inmates of 1:8.

Wash basins must be provided with hot and cold or tempered water.

Two feet of wash basin trough may be substituted for each basin required.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

### **470A.3.3 Drinking Fountains.**

There must be a minimum of one drinking fountain in every single-occupancy cell, double occupancy cell, dormitory, temporary holding cell, temporary staging cell, and sobering cell, and be accessible to the occupants of dayrooms and exercise areas. Additional drinking fountains shall be located in other areas of the facility so that drinking water will be available to inmates and staff. Such drinking fountains must meet the following minimum health requirements:

470A.3.3.1 The drinking fountain bubbler shall be on an angle which prevents waste water from flowing over the drinking fountain bubbler.

470A.3.3.2 Water flow shall be actuated by mechanical means.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

### **470A.3.4 Showers.**

Must be available to all inmates on a ratio of at least one shower to every 20 inmates or fraction thereof and must provide hot and cold water or tempered water. Shower stalls/shower areas must be designed and constructed of materials which are impervious to water and soap so they may be easily cleaned.

NOTE: Shower areas shall provide modesty for inmates with staff being able to visually supervise.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

### **470A.3.5 Beds.**

Must be elevated off the floor, have a solid bottom, and a sleeping surface of at least 30 inches wide and 76 inches long. Multiple beds must have a minimum of 21 inches between bed pans. Except in minimum security areas, beds must be securely fastened to the floor and/or the wall.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

### **470A.3.6 Lighting.**

In housing units, dayrooms and activity areas must be sufficient to permit easy reading by a person with normal vision, and shall not be less than 20 footcandles at desk level and in the grooming area.

Lighting shall be centrally controlled and/or occupant controlled in housing cells or rooms.

Night lighting in these areas shall be sufficient to give good visibility for purposes of supervision.

In minimum security areas, lighting may be supplied by ordinary lighting fixtures, and in areas of higher security, light fixtures must be of secure design.



NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.3.7 Windows.**

In housing areas of higher than minimum security, windows which are constantly accessible to inmates for escape must be designed and constructed so that if broken out, the net area accessible for escape is no greater than 5 inches in one dimension.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.3.8 Cell Padding.**

In sobering cells, the floor and partition shall be padded. In safety cells, padding must cover the entire floor, doors, and walls and everything on them to a clear height of 8 feet.

All such padded cells must be equipped with a tamper-resistant fire sprinkler as approved by the state fire marshal. All padding must be:

- 470A.3.8.1 Approved for use by the state fire marshal;
- 470A.3.8.2 Nonporous to facilitate cleaning;
- 470A.3.8.3 At least ½-inch thick;
- 470A.3.8.4 Of a unitary or laminated construction to prevent its destruction by teeth, hand tearing or small metal objects;
- 470A.3.8.5 Firmly bonded to all padded surfaces to prevent tearing or ripping; and,
- 470A.3.8.6 Without any exposed seams susceptible to tearing or ripping.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.3.9 Mirrors.**

A mirror of a material appropriate to the level of security must be provided near each wash basin specified in these regulations.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.3.10 Seating.**

In temporary holding and temporary staging cells, seating must be securely fixed to the floor and/or wall. When bench seating is used, eighteen inches of bench is seating for one person.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **470A.3.11 Table/Seat.**

In single and double occupancy cells, a table and seat for the purpose of writing and dining shall be provided.

EXCEPTION: A Type I facility does not require a table and seat.

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

**470A.3.12 Weapons Locker.**

A secure weapons locker shall be located outside the security perimeter of the facility such that no officer shall bring into the security area any weapon. Such weapons lockers shall be equipped with individual compartments, each with an individual locking device. Weapons lockers are required for temporary and court holding facilities and in all facilities of higher than minimum security.

**EXCEPTION: The design of court holding and temporary holding facilities shall include the design criteria for furnishings and equipment from Section 470A.3; .1, .2, .3, .6, .10, and .12.**

NOTE: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.